

FILED
U.S. DISTRICT COURT
DISTRICT OF WYOMING

FEB 29 2012

Stephan Harris, Clerk
Cheyenne

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING

JIMMIE G. BILES, JR., MD, a resident
of Wyoming,

Plaintiff,

vs.

Case No. 11-CV-294-F

LISA SHAURETTE FALLON,

Defendant.

JOHN H. SCHNEIDER and MICHELLE
SCHNEIDER,

Non-Party Movants.

**ORDER REQUIRING COMPLIANCE WITH PLAINTIFF'S SUBPOENA AND
ISSUING A FINE AGAINST JOHN AND MICHELLE SCHNEIDER**

This matter is before the Court regarding a discovery dispute between Plaintiff and John and Michelle Schneider (Schneiders), non-party movants. On February 28, 2012, following the procedures established in Administrative General Order 2011-08, the parties conferred with Judge Freudenthal concerning a discovery dispute. The dispute involved the scope of Plaintiff's subpoena for information from the Schneiders. After hearing arguments from counsel, and being fully informed, the Court concluded that the Schneiders failed to make a good faith effort to comply with Plaintiff's subpoena.

On January 6, 2012, the Court denied the Schneiders' motion to quash Plaintiff's subpoenas. The Court ordered the Schneiders to produce the documents and items requested by the subpoena. On January 19, 2012, the parties conferred with the Court for the second time regarding Plaintiff's subpoena. The Court ordered Schneiders to provide all documents and items requested by Plaintiff's subpoena by February 3, 2012.

On February 28, 2012, the Court held another telephone hearing addressing the information provided by the Schneiders in accordance with Plaintiff's subpoena and the Court's two previous orders. After listening to the parties, the Court concluded that the Schneiders failed to make a good faith effort to comply with the subpoena.

IT IS ORDERED that John and Michelle Schneider shall produce the documents and items requested by the subpoena by March 9, 2012. John and Michelle Schneider shall search for documents and records, and create a transaction history if necessary to comply with Plaintiff's subpoena.

IT IS FURTHER ORDERED that the Schneiders shall pay to the Clerk of District Court a fine of \$1,000 (one thousand dollars) for their lack of good faith and failure to cooperate when responding to Plaintiff's subpoena. Payment of the fine shall be made to the Clerk of District Court, 2120 Capital Avenue, Room 2131, Cheyenne, WY 82001.

Dated this 29 day of February, 2012.

A handwritten signature in black ink, appearing to read "Nancy D. Freudenthal", written over a horizontal line.

NANCY D. FREUDENTHAL
CHIEF UNITED STATES DISTRICT JUDGE